



# DEP orders shutdown of lone chemical dump

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The State Department of Environmental Protection (DEP) yesterday ordered New Jersey's only chemical landfill to close in 10 days for "continuing violations of the state's environmental standards."

The DEP order against the Kin-Buc landfill in Edison came two days after a state appeals court judge reopened the 30-acre site after the facility was closed briefly by police acting under orders from township officials.

The chemical waste land-  
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County and municipal officials had been critical of DEP for lax enforcement of environmental regulations at Kin-Buc.

Edison Mayor Thomas H. Paterniti, who had led the campaign to have the operation shut down, welcomed the news of Tylutki's order.

"The news was music to my ears. 'We're very happy to hear it,' Paterniti said.

"We have tried every possible avenue to close that dump. Everybody realizes its potential hazard in the area. It has no place here," he added.

Theodore O'Neill, administrator of Middlesex County's Solid Waste Management Program, had a mixed reaction to the DEP order. He indicated he was pleased that DEP "is willing and able to act concerning environmental problems," but added that the shutdown is "going to create a crisis for many industries that rely on the site."

"There is no question that for some industries this is going to be a serious problem," he said. Kin-Buc, the only landfill approved by DEP for the dumping of liquid chemical wastes, is of key importance to New Jersey's vast chemical industry, he said.

O'Neill had recommended to the DEP in April that the

fill, owned by Scientific, Inc. of Scotch Plains, has been the target of criticism from residents and municipal and county officials that Edison was being overburdened with concentrated dumping of chemical wastes at the site.

The shutdown order, issued by Beatrice S. Tylutki, DEP director of solid waste administration, calls for operations at the facility to be halted in 10 days and carries a maximum fine of \$1,000 a day for non-compliance.

Kin-Buc has been cited by DEP for numerous violations

year each.

O'Neill said Tylutki rejected the plan despite his warnings that continued concentrated dumping of chemical wastes at Kin-Buc would create such a severe environmental hazard that the whole facility eventually would have to be shut down, creating a crisis for the state's chemical industry.

O'Neill's office and an advisory group of chemical industry representatives have been developing an "emergency response program" for the past two months in anticipation of a possible sudden shutdown of Kin-Buc.

A survey of other chemical processing and landfill facilities in New Jersey revealed eight sites owned by six firms that could handle some of the chemicals which had been dumped daily at Kin-Buc.

"It's not a full solution by any means, but only a partial solution," O'Neill said. He noted the alternative could only handle a fraction of the chemical waste dumping done at Kin-Buc and some of the processing facilities even rely on Kin-Buc for disposal of waste by-products from recycling.

Theodore Schwartz, Kin-Buc attorney, who called the DEP order "a very brazen action," said the closing of the landfill "would be a disaster to the chemical industry."

Schwartz is expected to appear today before Superior Court Judge David D. Furman in New Brunswick to present arguments on an order issued to Edison officials to show cause why they should not be

of environmental regulations including seepage of leachate from the site into the Raritan River.

"The severity of the environmental abuses at this landfill has increased at an alarming rate in recent months," according to Tylutki's announcement.

"Continued operations at that site can no longer be tolerated," she concluded.

Tylutki's announcement surprised both Edison and Middlesex County officials, as well as the landfill operators.

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restrained from enforcing a municipal ordinance limiting the height of Kin-Buc.

The dump was closed briefly when Furman refused to restrain township officials from enforcing the regulation on Tuesday. He was overruled by Judge John W. Fritz of the Appellate Division of Superior Court, who issued a temporary injunction sought by Schwartz.

Schwartz charged delays by DEP officials in approving plans for a chemical landfill called Kin-Buc II and a processing facility called Kin-Buc III resulted in overburdening the present 30-acre Kin-Buc I site with waste chemicals. Kin-Buc II and III are adjacent to Kin-Buc I.

He said Tylutki asked the landfill operators to "work out a plan phase in Kin-Buc II and III while Kin-Buc I continues to operate."

Schwartz said since Kin-Buc was the only landfill approved for liquid chemical wastes, the present 30-acre site had to continue accepting the wastes while the landfill operators waited for approval to open the adjacent facilities.

Under the DEP closing order, Kin-Buc will be required to submit a detailed plan for shutting down the facility to insure groundwater supplies will not be contaminated by leachate.

Tylutki indicated the U.S. Environmental Protection Agency, which has been monitoring air and water around the site, is expected to announce legal action soon against Kin-Buc.

chemical industry's reliance on the site be reduced by limiting the quantities of wastes that could be accepted at Kin-Buc by inviting up to six other landfills to accept up to 7 million gallons of liquid wastes a

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